

Message

From: Mann, Teresa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5E788B7B43DC484FA765A01B844E8052-MANN, TERESA]
Sent: 7/13/2017 7:10:37 PM
To: Thomas, Jessica [jthomas@williamsmullen.com]
CC: Luetscher, Greg [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4bfc6eb465a543128e5c7e7df9f982ce-Luetscher, Gregory]; Ware, Ethan [eware@williamsmullen.com]
Subject: RE: Burlington Industries Cheraw Superfund Site, Cheraw, Chesterfield County, SC

Jessica-

This email is to follow up on our telephone call today regarding Highland Industries, Inc. (Highland) June 12, 2017 counter offer for performance of the removal action at the Cheraw Superfund Site (Site). The U.S. Environmental Protection Agency appreciates Highland's offer to perform the removal action on the (1) Highland Plant property, (2) mounds along the side of the western ditch, (3) western ditch (along Pecan Drive approximately 1000 feet) and (4) Huckleberry Park. However, at this time, the EPA cannot waive the EPA's past cost or any of the future costs for the Site as Highland requested.

The EPA is prepared to negotiate an Administrative Order on Consent for Highland to conduct the removal action on the properties described above, the Tier II residential properties that are not completed as of the date that the AOC is signed, which includes six undeveloped residential properties, and on the vacant lot near the middle school, which we are now referring to as the "Town Lot." As we have explained, the EPA is starting the removal action on the Tier II residential properties on which homes are located (8 properties) and expects to complete the removal action on two of those homes per week.

The EPA expects Highland to agree to pay for the EPA's costs associated with the work that Highlands performs at the Site. The EPA will give Highland a covenant not to sue for the work that Highland performs at the Site.

I understand that you believe that your client will likely want to perform some of the work at the Site, but you need to follow up with your client to confirm what work, if any, your client is willing to perform. I further understand that the EPA should receive a response to this counter offer from Highland no later than Monday close of business. Please call me if you have any questions. Greg Luetscher is out of the office today.

Best regards,

Teresa Mann

Teresa Mann
U.S. EPA, Region 4
(404) 562-9572

From: Thomas, Jessica [mailto:jthomas@williamsmullen.com]

Sent: Wednesday, July 12, 2017 3:51 PM

To: Luetscher, Greg

Cc: Mann, Teresa

Subject: Ltr from E. Ware

Please find attached from Ethan Ware. I will be placing the original in the mail today. Let me know if you have any issues opening the document.

Thank you,
Jessica

Jessica Marie Thomas | Legal Administrative Assistant | Williams Mullen

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